

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 04-10360-DPW
)
 CARLOS MEDINA)
)

JOINT MOTION FOR EXCLUDABLE TIME

The United States of America, by Assistant U.S. Attorney James F. Lang, and the defendant Carlos Medina, by counsel Martin Richey, Esq., jointly move pursuant to 18 U.S.C. § 3161(h)(8)(A) and Local Rule 112.2(A)(2) that the twenty-eight day period of time commencing on December 17, 2004, the date of the defendant's arraignment, through January 14, 2005, be excluded from computation under the Speedy Trial Act of the time within this case must be tried. As reason therefore, the parties represent that during that period of time the parties were developing their discovery plans and producing discovery under the automatic discovery process. The parties also jointly move pursuant to § 3161(h)(8)(A) that the forty-seven day period of time commencing on January 28, 2005, the date of the initial status conference, through March 16, 2005, the date of a scheduled interim status conference, be excluded from computation under the Speedy Trial Act of the time within this case must be tried. As reason therefore, the parties represent that the defendant requested

this additional time to review the discovery that has been provided by the government and determine whether to file substantive motions. It is therefore in the interests of justice that the instant motion be allowed.

WHEREFORE, the parties request that the Court enter a written order of excludable delay covering the period of December 17, 2004 through January 14, 2005 and the period of January 28, 2005 through March 16, 2005.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ James Lang
James Lang
Assistant U.S. Attorney

CARLOS MEDINA
Defendant

By: /s/ Martin Richey
Martin Richey
Counsel for Carlos Medina

DATE: January 28, 2005